

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:13-CV-574-F

EDWARD MULDER,

Plaintiff,

v.

SCOTT NORTON, et al.,

Defendants.

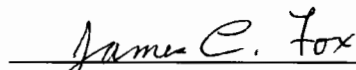
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ORDER

This matter is before the court on the Memorandum and Recommendation (M & R) [DE-5] of United States Magistrate Judge Robert B. Jones, Jr., filed on September 25, 2012. The Plaintiff, appearing *pro se*, has not filed any objections to the Magistrate Judge's M & R.

After an independent and thorough review of the Magistrate Judge's M & R and a *de novo* review of the record, the court concludes that the M & R is correct and in accordance with the law. Accordingly, the court hereby ADOPTS the Magistrate Judge's M & R, and ORDERS that Defendant K.M. Rogers be DISMISSED from this action, but that Plaintiff be allowed to proceed on his claim of excessive force as to Defendants Norton, Kidd, Beasley, and Quick and on his claim of civil conspiracy against Defendants Norton, Kidd, Beasley, Quick and Maynor.

SO ORDERED. This the 21st day of October, 2013.



JAMES C. FOX
Senior United States District Judge